

SMILEY WANG-EKVALL, LLP
Lei Lei Wang Ekvall, State Bar No. 163047
lekvall@swelawfirm.com
Philip E. Strok, State Bar No. 169296
pstrok@swelawfirm.com
Timothy W. Evanston, State Bar No. 319342
tevanston@swelawfirm.com
3200 Park Center Drive, Suite 250
Costa Mesa, California 92626
Telephone: 714 445-1000
Facsimile: 714 445-1002

Attorneys for Elissa D. Miller,
Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re
GIRARDI KEESE,

Debtor.

Case No. 2:20-bk-21022-BR

Chapter 7

**NOTICE OF MOTION FOR ORDER
AUTHORIZING THE TRANSITION AND
ASSIGNMENT OF THE ESTATE'S
INTERESTS IN THE TALC LITIGATION
TO ROBINSON CALCAGNIE INC. FREE
AND CLEAR OF LIENS, CLAIMS AND
INTERESTS PURSUANT TO 11 U.S.C.
§ 363**

**[No Hearing Required Pursuant to
Local Bankruptcy Rule 9013-1(o)]**

TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that Elissa D. Miller, the chapter 7 trustee for the bankruptcy estate of Girardi Keese (the "Trustee"), has filed a *Motion for Order Authorizing the Transition and Assignment of the Estate's Interests in the Talc Litigation Free and Clear of Liens, Claims and Interests Pursuant to 11 U.S.C. § 363 and Approving Compromise with Robinson Calcagnie Inc. Pursuant to Federal Rule of Bankruptcy Procedure 9019* ("Motion"). The Trustee is requesting that the Motion be granted without a hearing as provided in Local Bankruptcy Rule 9013-1(o) unless a party in interest timely files and serves a written opposition to the Motion and requests a hearing. The Motion is summarized as follows:

1. Pre-petition, the Debtor represented approximately 178 plaintiffs against Johnson & Johnson, et al. in connection with claims for personal injury from the use of

SMILEY WANG-EKVALL, LLP
3200 Park Center Drive, Suite 250
Costa Mesa, California 92626
Tel 714 445-1000 • Fax 714 445-1002

1 talcum powder (the "Talc Litigation"). Robinson Calcagnie Inc. ("RC") is currently
2 representing hundreds of plaintiffs in the Talc Litigation, and RC wishes to substitute in as
counsel for 86 of the Debtor's clients (the "Clients").

3 2. The Debtor is not able to continue to perform as counsel for the Clients and
4 RC wishes to substitute in as counsel for the Clients, subject to each Client's written
5 consent. RC is experienced in individual and class action lawsuits and has the requisite
6 expertise and resources. Mark P. Robinson, Jr., RC's senior partner, currently serves as
co-lead counsel in the coordinated proceedings in Los Angeles Superior Court, Johnson
& Johnson Talcum Powder Cases, JCCP 4872. Additionally, RC is handling hundreds of
7 cases filed in the federal MDL in New Jersey District Court, Johnson & Johnson Talcum
Powder Litigation, MDL 2738.

8 3. The Debtor's claim to fees and costs in the Talc Litigation is an asset of
9 value. Accordingly, the Trustee and RC entered into a transition agreement, whereby the
Trustee agreed to transfer the Estate's interest in 86 cases in the Talc Litigation to RC
(the "Agreement"). The salient terms of the Agreement are as follows:

10 (a) All fees that may be received by RC or the Debtor on account of the
11 representation of the Clients in the Talc Litigation, net of (i) referral fees, and
(ii) any common benefit assessments ("Fees"), shall be allocated as follows:

12 (i) To the Trustee for the benefit of the Estate, 20% of the Fees
after deducting costs (the "Estate Allocation");

13 (ii) With the exception of the referrals identified in
14 subparagraph (iii) below, to RC 80% of the Fees after deducting Costs (the
"RC Allocation");

15 (iii) Any of the eight cases referred to the Debtor by Mary Ann
16 Walker and/or WH Legal Group LLP, and or Walker Harding ("Walker")
17 shall be distributed 40% to Walker, 40% to RC, and 20% to the Debtor, plus
reimbursement of costs.

18 (b) The proposed assignment to RC, including without limitation the RC
19 Allocation, shall be free and clear of all liens, claims, encumbrances, and other
20 interests pursuant to Bankruptcy Code section 363(f), including but not limited to
(i) any purported liens, assignments, encumbrances, or other purported transfers
21 to litigation funders or other creditors of the Debtor, and (ii) any purported
assignments or transfers (or agreements to a substitution of counsel or notice of
association or appearance) by the Debtor.

22 (c) Any liens, claims, encumbrances, or other interests of the Debtor's
23 creditors or other entities that may assert an interest in the Debtor's right to
24 attorneys' fees or other compensation relating to the Clients shall attach only to
the Estate Allocation, to the same extent, priority, and validity (if any) that such
25 liens, claims, encumbrances, or other interests had prior to consummation of the
Agreement, and subject to any claims or defenses the Trustee or the Estate may
26 have. The RC Allocation shall be free and clear of such liens, claims,
encumbrances, or other interests. For the avoidance of doubt, RC is assuming no
27 liabilities of the Estate, the Debtor, or any current or former partners, members,
attorneys, insiders, affiliates, or employees thereof, whether under contract, tort, or
otherwise.

(d) The terms of the Agreement, and the effectiveness thereof, are subject to Court approval.

4. The proposed assignment, which is subject to each Client's consent, is in the best interests of the Estate and has been proposed in good faith. Under the Agreement, the Estate will realize 20% of any contingency fees earned plus costs on terms that are fair to the Estate. Finally, the Agreement is the product of the Trustee's arms-length negotiations with RC.

DEADLINE FOR FILING AND SERVING OPPOSITION PAPERS AND REQUEST FOR A HEARING: Pursuant to LBR 9013-1(o), any party who opposes the Motion may request a hearing on the Motion. The deadline to file and serve a written opposition and request for hearing is **14 days** after the date of service of this notice, plus 3 additional days if you were served by mail or pursuant to F.R.Civ.P. 5(b)(2)(D) or (F).

If you timely file and serve a written opposition and request for a hearing, the Trustee will file and serve a notice of hearing at least 14 days in advance of the hearing. If you fail to comply with this deadline:

(a) The Trustee will file a declaration to indicate (1) the Motion was properly served, (2) the response period elapsed, and (3) no party filed and served a written opposition and request for a hearing within 14 days after the date of service of the notice;

(b) The Trustee will lodge an order that the Court may use to grant the Motion; and

(c) The Court may treat your failure as a waiver of your right to oppose the Motion and may grant the Motion without further hearing and notice.

DATED: April 20, 2021

SMILEY WANG-EKVALL, LLP

By: /s/ Lei Lei Wang Ekvall
LEI LEI WANG EKVALL
Attorneys for Elissa D. Miller, Chapter 7
Trustee

SMILEY WANG-EKVALL, LLP
3200 Park Center Drive, Suite 250
Costa Mesa, California 92626
Tel 714 445-1000 • Fax 714 445-1002

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
3200 Park Center Drive, Suite 250, Costa Mesa, CA 92626

A true and correct copy of the foregoing document entitled (*specify*): **Notice of Motion for Order Authorizing the Transition and Assignment of the Estate's Interests in the Talc Litigation to Robinson Calcagnie, Inc., Free and Clear of Liens, Claims and Interests Pursuant to 11 U.S.C. §363** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **4/20/2021**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **4/20/2021**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Barry Russell
U.S. Bankruptcy Court
Roybal Federal Building
255 E. Temple Street, Suite 1660
Los Angeles, CA 90012

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

4/20/2021
Date

Lynnette Garrett
Printed Name

/s/ Lynnette Garrett
Signature

TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

- Kyra E Andrassy kandrassy@swelawfirm.com,
lgarrett@swelawfirm.com;gcruz@swelawfirm.com;jchung@swelawfirm.com
- Rafey Balabanian rbalabanian@edelson.com, docket@edelson.com
- Michelle Balady mb@bedfordlg.com, leo@bedfordlg.com
- William C Beall will@beallandburkhardt.com, carissa@beallandburkhardt.com
- Ori S Blumenfeld Ori@MarguliesFaithLaw.com,
Helen@MarguliesFaithLaw.com;Angela@MarguliesFaithLaw.com;Vicky@MarguliesFaithLaw.com
- Richard D Buckley richard.buckley@arentfox.com
- Marie E Christiansen mchristiansen@vedderprice.com, ecfladocket@vedderprice.com,marie-christiansen-
4166@ecf.pacerpro.com
- Jennifer Witherell Crastz jcrastz@hrhlaw.com
- Ashleigh A Danker Ashleigh.danker@dinsmore.com, SDCMLFiles@DINSMORE.COM;Katrice.ortiz@dinsmore.com
- Clifford S Davidson csdavidson@swlaw.com, jlanglois@swlaw.com;cliff-davidson-7586@ecf.pacerpro.com
- Lei Lei Wang Ekvall lekvall@swelawfirm.com,
lgarrett@swelawfirm.com;gcruz@swelawfirm.com;jchung@swelawfirm.com
- Richard W Esterkin richard.esterkin@morganlewis.com
- Timothy W Evanston tevanston@swelawfirm.com,
gcruz@swelawfirm.com;lgarrett@swelawfirm.com;jchung@swelawfirm.com
- Jeremy Faith Jeremy@MarguliesFaithlaw.com,
Helen@MarguliesFaithlaw.com;Angela@MarguliesFaithlaw.com;Vicky@MarguliesFaithlaw.com
- James J Finsten jfinsten@hotmail.com
- Alan W Forsley alan.forsley@flpllp.com, awf@fklawfirm.com,awf@fl-lawyers.net,addy.flores@flpllp.com
- Eric D Goldberg eric.goldberg@dlapiper.com, eric-goldberg-1103@ecf.pacerpro.com
- Andrew Goodman agoodman@andyglaw.com, Goodman.AndrewR102467@notify.bestcase.com
- Suzanne C Grandt suzanne.grandt@calbar.ca.gov, joan.randolph@calbar.ca.gov
- Steven T Gubner sgubner@bg.law, ecf@bg.law
- Marshall J Hogan mhogan@swlaw.com, knestuk@swlaw.com
- Sheryl K Ith sith@cookseylaw.com, sith@ecf.courtdrive.com
- Razmig Izakelian razmigizakelian@quinnemanuel.com
- Lewis R Landau Lew@Landaunet.com
- Daniel A Lev dlev@sulmeyerlaw.com, ccaldwell@sulmeyerlaw.com;dlev@ecf.inforuptcy.com
- Elizabeth A Lombard elombard@zwickerpc.com, bknotices@zwickerpc.com
- Craig G Margulies Craig@MarguliesFaithlaw.com,
Vicky@MarguliesFaithlaw.com;Helen@MarguliesFaithlaw.com;Angela@MarguliesFaithlaw.com
- Peter J Mastan peter.mastan@dinsmore.com, SDCMLFiles@dinsmore.com;Katrice.ortiz@dinsmore.com
- Edith R. Matthai ematthai@romalaw.com, lrobie@romalaw.com
- Kenneth Miller kmiller@pmcos.com, efilings@pmcos.com
- Elissa Miller (TR) CA71@ecfcbis.com,
MillerTrustee@Sulmeyerlaw.com;C124@ecfcbis.com;ccaldwell@sulmeyerlaw.com
- Eric A Mitnick MitnickLaw@aol.com, mitnicklaw@gmail.com
- Scott H Olson solson@vedderprice.com, scott-olson-
2161@ecf.pacerpro.com,ecfsfdocket@vedderprice.com,nortega@vedderprice.com
- Leonard Pena lpena@penalaw.com, penasomaecf@gmail.com;penalr72746@notify.bestcase.com
- Michael J Quinn mquinn@vedderprice.com, ecfladocket@vedderprice.com,michael-quinn-2870@ecf.pacerpro.com
- David M Reeder david@reederlaw.com, secretary@reederlaw.com
- Ronald N Richards ron@ronaldrichards.com, morani@ronaldrichards.com
- Kevin C Ronk Kevin@portilloronk.com, Attorneys@portilloronk.com
- William F Savino wsavino@woodsoviatt.com, lherald@woodsoviatt.com
- Kenneth John Shaffer johnshaffer@quinnemanuel.com
- Richard M Steingard , awong@steingardlaw.com
- Philip E Strok pstrok@swelawfirm.com, gcruz@swelawfirm.com;1garrett@swelawfirm.com;jchung@swelawfirm.com
- Boris Treyzon jfinnerty@actslaw.com, sgonzales@actslaw.com
- United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
- Eric D Winston ericwinston@quinnemanuel.com
- Christopher K.S. Wong christopher.wong@arentfox.com, yvonne.li@arentfox.com
- Timothy J Yoo tjy@lnbyb.com

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

SERVED VIA UNITED STATES MAIL:

ABIR COHEN TREYZON SALO,
LLP, a California I
ACTS
16001 Ventura Boulevard, Suite
200
Encino, CA 91436-4482

American Express National
Bank c/o Zwicker &
80 Minuteman Road
P.O. Box 9043
Andover, MA 01810-0943

Bedford Law Group, APC
1875 Century Park East
Suite 1790
Century City, CA 90067-2537

Franchise Tax Board
Bankruptcy Section MS: A-340
P.O. Box 2952
Sacramento, CA 95812-2952

Frantz Law Group, APLC
2029 Century Park East
#400
Los Angeles, CA 90067-2905

Daimler Trust
c/o BK Servicing, LLC
PO Box 131265
Roseville, MN 55113-0011

Southern California Gas
Company
555 West 5th Street
Los Angeles, CA 90013-1011

Wells Fargo Vendor Financial
Services, Inc.
c/o Hemar, Rousso & Heald,
LLP
15910 Ventura Blvd., 12th Floor
Encino, CA 91436-2802

Employment Development Dept.
Bankruptcy Group MIC 92E
P.O. Box 826880
Sacramento, CA 94280-0001

Los Angeles Division
255 East Temple Street,
Los Angeles, CA 90012-3332

29039 Gladiolus Dr.
Canyon Country, CA 91387-
1829

IDiscovery Solutions
535 Anton Blvd Ste 850
Costa Mesa, CA 92626-7062

Baker, Keener & Nahra, LLP
633 West Fifth Street
Suite 5500
Los Angeles, CA 90071-2014

Bedford Law Group, APC
1875 Century Park East, Suite
1790
Los Angeles, CA 90067-2537

OFFICE OF FINANCE CITY
OF LOS ANGELES
200 N SPRING ST RM 101
CITY HALL
LOS ANGELES CA 90012-3224

preferred

Christina Fulton
1875 Century Park East
Suite 2230
Los Angeles, CA 90067-2522

Cigna Health and Life Insurance
Company
Marylou Rice
Legal Compliance Lead Analyst
900 Cottage Grove Road,
B6LPA
Hartford CT 06152-0001

U.S. Legal Support, Inc.
c/o Portillo Ronk Legal Team
5716 Corsa Avenue
Suite 207
Westlake Village, CA 91362-
4059

SERVED VIA UNITED STATES MAIL:

David R. Lira
10100 Santa Monica Boulevard,
12th Floor
Los Angeles, CA 90067-4003

Dominic Lombardo
115 E. Pomona Boulevard
Suite A
Monterey Park, CA 91755-7210

Andrew Goodman
30700 Russell Ranch Road
Suite 250
Westlake Village, CA 91362-
9507

Eric Lindvall, DO
604 N Magnolia Ave Suite 100
Clovis, CA 93611-9205

Erika Saldana
1757 Riverside Drive
Glendale, CA 91201-2856

CT3Media, Inc. Chet Thompson
26080 Shadow Rock Ln 26080
Shadow Rock L
Valencia, CA 91381-0630

Fay Pugh
1163 Daniels Drive
Los Angeles, CA 90035-1101

Gayle C. Kurosu
1116 West 187th Street
Gardena, CA 90248-4123

DK Global, Inc.
420 Missouri Ct
420 Missouri Ct
Redlands, CA 92373-3128

Jill O'Callahan
1437 Club View Drive
Los Angeles, CA 90024-5305

John Abassian
6403 Van Nuys Boulevard
Van Nuys, CA 91401-1437

Eric Bryan Seuthe
10990 Wilshire Blvd.
Suite 1420
Los Angeles, CA 90024-3931

Judy Selberg
10990 Wilshire Blvd.
Suite 1420
10990 Wilshire Blvd., Suite 1420
Los Angeles, CA 90024-3931

Kathleen L. Bajgrowicz
Manuel H. Miller, Esq.
Law Offices of Manuel H. Miller
20750 Ventura Boulevard, Suite
440
Woodland Hills, CA 91364-6643

Express Network LLC
1605 W Olympic Blvd #800
Los Angeles CA 90015-4685

Kimberly Archie
15210 Ventura Boulevard
Suite 307
Sherman Oaks, CA 91403-3841

L. Everett & Associates, LLC
3700 State Street, Suite 350
Santa Barbara, CA 93105-3100

Jaime Ruigomez
c/o Margulies Faith, LLP
16030 Ventura Blvd., Ste. 470
Encino, CA 91436-4493

SERVED VIA UNITED STATES MAIL:

Manuel H. Miller
20750 Ventura Boulevard
Suite 440
Woodland Hills, CA 91364-6643

Marlatt Consulting
85 Cresta Verde Dr
Rolling Hills Estates, CA 90274-
5455

Joseph Ruigomez
c/o Margulies Faith, LLP
16030 Ventura Blvd., Ste. 470
Encino, CA 91436-4493

Noel Montes
2117 Benjamin creek dr
Little Elm, TX 75068-0019

Pauline White
150 N. Santa Anita Avenue
Suite 300
Arcadia, CA 91006-3116

Kathleen Ruigomez
c/o Margulies Faith, LLP
16030 Ventura Blvd. Ste. 470
Encino, CA 91436-4493

Pitney Bowes Inc
27 Waterview Dr, 3rd Fl
Shelton, CT 06484-4361

Rest Your Case Evidence
Storage LLC
Pauline White
150 N. Santa Anita Avenue
Suite 300
Arcadia, CA 91006-3116

L.A. Arena Funding, LLC
c/o Richard D. Buckley, Jr.
Arent Fox LLP
555 West Fifth Street, 48th Floor
Los Angeles, CA 90013-1065

Robert M. Keese
22982 Rosemont Court
Murrieta, CA 92562-3075

Sammy Y. Hsu
13044 Pacific Promenade
Apt 423
Playa Vista, CA 90094-4006

L.A. Arena Funding, LLC
c/o Richard D. Buckley, Jr.
Arent Fox LLP
555 West Fifth Street, 48th Floor
Los Angeles, CA 90013-1065

United States Trustee (LA)
915 Wilshire Blvd, Suite 1850
Los Angeles, CA 90017-3560

Virginia Antonio
20413 Via Navarra
Yorba Linda, CA 92886-3065

Elissa Miller (TR)
SulmeyerKupetz
333 South Grand Avenue. Suite
3400
Los Angeles, CA 90071-1538

Boris Treyzon Esq
16001 Ventura Blvd., Suite 200
Encino, CA 91436-4482

Michael Vislosky
2764 Ceres Ave
Chico CA 95973-7814

US Legal Support
16825 Northchase Dr Suite 900
16825 Northchase Dr Suite 900
Houston, TX 77060-6004

SERVED VIA UNITED STATES MAIL:

Robert Keese
22982 Rosemont Court
Murrieta, CA 92562-3075

Peterson & Associates Court
Reporting, Inc.
530 B Street, Suite 350
San Diego, CA 92101-4403

Girardi Keese
1126 Wilshire Blvd
Los Angeles, CA 90017-1904

Robert Girardi
402 South Marengo Ave.
Suite B
Pasadena, CA 91101-3113